

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

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August 4, 2006

File No.: 1.8800.004.2006-I-06-0020

The Honorable Nicole Parra, Chair  
Joint Legislative Audit Committee  
1020 N Street, Room 107  
Sacramento, CA 95814

Dear Assembly Member Parra:

I am writing to provide you with background information regarding the letter prepared by Assembly Member Bonnie Garcia, which requests the Joint Legislative Audit Committee to initiate an investigation of this organization for alleged improprieties.

In reviewing the letter, I became immediately concerned by its contents. I hope to provide information to you so you may take the most appropriate course of action. I cannot agree more with the statement, "When a state agency acts irresponsibly it not only reflects poorly on that agency, but also on the state as a whole." Since my appointment as California Highway Patrol (CHP) Commissioner in September 2004, acting ethically and appropriately is the cornerstone of my personal credo and this administration.

It is clear by the contents of the Assembly Member's letter the majority of references are simply not verifiable, are speculative in nature, and many are plainly inaccurate. Furthermore, when looking at most issues raised, they are stale in nature and precede by a number of years my appointment.

It is important to note the CHP has been actively conducting self-audits and has had audits completed by outside agencies which have been positive in nature. Where irregularities were identified, corrective measures were implemented. For example, in response to the Financial Integrity and State Manager's Accountability Act (FISMA) of 1983, Government Code Section 13400, I invited an outside agency, the Department of Finance (DOF), to audit the Department's systems of internal accounting and administrative controls to determine if this organization was in compliance with FISMA. The Department of General Services, the control agency for procurement, also conducted a purchasing program compliance review of the Department during early 2006. Both audits verified our adherence to statutory, regulatory, policy, and purchasing authority requirements, and are enclosed for your information (Annexes 1 and 2).

*Safety, Service, and Security*

Honorable Nicole Parra, Chair  
Page Two  
August 4, 2006

In addition to the foregoing external audits, I have directed staff to conduct an internal audit of purchasing and contract procedures over the past three fiscal cycles. This audit, in addition to an internal audit of overtime usage by our Valley Division, will be completed within 120 days and will be forwarded to Business, Transportation and Housing Agency, as well as the Department of Finance, for independent review. A copy will be forwarded to you.

The CHP has a proud reputation of public service. Likewise, the Department enjoys a reputation as a highly efficient organization. A variety of control and accountability measures, exceeding those briefly articulated in this letter, are used to ensure efficiency. Enclosed you will find a synopsis of each issue raised by Assembly Member Garcia and the CHP's actions taken to address each issue. I strongly believe that once all of the facts regarding these issues are brought to light you will concur with my belief that an external investigation or audit of this organization is not warranted and would not reveal any additional information. Rather, I would be pleased to meet at any time to discuss the issues raised by Assembly Member Garcia or any other concerns that may exist.

I am confident you will find the organization is as previously stated: efficient and accountable. Should you have questions, please contact me at (916) 657-7152. Thank you for your time and attention to this important matter.

Sincerely,



M. L. BROWN  
Commissioner

Enclosures

cc: Members of the Joint Legislative Audit Committee  
Richard Costigan, Deputy Chief of Staff and Legislative Secretary  
Fred Aguiar, Cabinet Secretary  
Sunne Wright McPeak, Business Transportation and Housing Secretary